

EXHIBIT 9

P7_TA(2014)0258

Common visa restrictions for Russian officials involved in the Sergei Magnitsky case

European Parliament recommendation to the Council of 2 April 2014 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case (2014/2016(INI))

The European Parliament,

- having regard to Article 215 TFEU,
 - having regard to the proposal for a recommendation to the Council by Guy Verhofstadt and Kristiina Ojuland, on behalf of the ALDE Group, on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case (B7-0473/2013),
 - having regard to its recommendation of 2 February 2012 to the Council on a consistent policy towards regimes against which the EU applies restrictive measures¹,
 - having regard to its recommendation of 23 October 2012 to the Council on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case²,
 - having regard to the statement by the Vice-President of the Commission / High Representative of the Union for Foreign affairs and Security Policy (VP/HR), Catherine Ashton, of 20 March 2013 on the Magnitsky case in the Russian Federation,
 - having regard to the statement by the spokesperson of VP/HR Catherine Ashton of 12 July 2013 on the case of Sergei Magnitsky,
 - having regard to the resolution and recommendation of the Parliamentary Assembly of the Council of Europe of 28 January 2014 on refusing impunity for the killers of Sergei Magnitsky,
 - having regard to the decisions by the United States to impose travel restrictions on a number of officials involved in the Sergei Magnitsky case and to similar considerations in a number of other countries,
 - having regard to its resolution of 11 December 2013 on the Annual Report on Human Rights and Democracy in the World 2012 and the European Union's policy on the matter³,
 - having regard to Rule 121(3) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A7-0215/2014),
- A. whereas the arrest and subsequent death in custody of Sergei Magnitsky represent a well-

¹ OJ C 239 E, 20.8.2013, p. 11.

² OJ C 68 E, 7.3.2014, p. 13.

³ Texts adopted, P7_TA(2013)0575.

documented and significant case of disrespect for human rights and fundamental freedoms in Russia, have cast doubt on the independence and impartiality of its judicial institutions, and serve as a reminder of the many documented shortcomings in respect for the rule of law in Russia;

- B. whereas two independent investigations, conducted respectively by the Public Oversight Commission for Human Rights Observance in Moscow Detention Centres and by the Russian Presidential Council on the Development of Civil Society and Human Rights, have revealed that Sergei Magnitsky was subjected to inhumane conditions, deliberate neglect and torture;
- C. whereas Russia, as a member of several international organisations such as the Council of Europe, the Organisation for Security and Cooperation in Europe and the United Nations, has committed itself to the protection and promotion of human rights, fundamental freedoms and the rule of law, and whereas the European Union has repeatedly offered additional assistance and expertise to help Russia to modernise and abide by its constitutional and legal order, in line with Council of Europe standards;
- D. whereas there is an increasing need for a firm, coherent and comprehensive EU policy towards Russia, supported by all the Member States, with support and assistance backed up by firm and fair criticism, including sanctions and restrictive measures where necessary;
- E. whereas visa restrictions and other restrictive measures are not traditional judicial sanctions per se but nevertheless constitute a political signal of the EU's concern to a greater target audience and thus remain a necessary and legitimate foreign-policy tool;
- F. whereas the High Representative has failed to place this issue on the agenda of the Foreign Affairs Council and whereas the recommendation by the European Parliament of 26 October 2012 has not received any official follow-up;
- 1. Addresses the following recommendations to the Council:
 - (a) to establish a common EU list of officials responsible for the death of Sergei Magnitsky, for the subsequent judicial cover-up and for the ongoing and continuing harassment of his mother and widow;
 - (b) to impose and implement an EU-wide visa ban on these officials and to freeze any financial assets that they, or their immediate family, may hold within the European Union;
 - (c) to allow for regular revision of the proposed visa ban list;
 - (d) following the Sergei Magnitsky Rule of Law Accountability Act of 2012, to place, among others, the following Russian citizens on an EU-wide visa ban list and to seize any financial assets that they may hold within the EU:

ALISOV, Igor, born 11 March 1968;

DROGANOV, Aleksey (a.k.a. DROGANOV, Alexei), born 11 October 1975;

EGOROVA, Olga, born 29 June 1955;

GAUS, Alexandra, born 29 March 1975;

GERASIMOVA, Anastasia, born 22 January 1982;

GRIN, Victor, born 1 January 1951;

KARPOV, Pavel, born 27 August 1977;

KHIMINA, Yelena (a.k.a. KHIMINA, Elena), born 11 February 1953;

KLYUEV, Dmitry (a.k.a. KLYUEV, Dmitriy or KLYUEV, Dmitri), born 10 August 1967;

KOMNOV, Dmitriy (a.k.a. KOMNOV, Dmitri), born 17 May 1977;

KRIVORUCHKO, Aleksey (a.k.a. KRIVORUCHKO, Alex or KRIVORUCHKO, Alexei), born 25 August 1977;

KUZNETSOV, Artem (a.k.a. KUZNETSOV, Artyom), born 28 February 1975;

LOGUNOV, Oleg, born 4 February 1962;

MAYOROVA, Yulya (a.k.a. MAYOROVA, Yulia), born 23 April 1979;

PAVLOV, Andrey (a.k.a. Pavlov, Andrei), born 7 August 1977;

PECHEGIN, Andrey (a.k.a. PECHEGIN, Andrei), born 24 September 1965;

PODOPRIGOROV, Sergei, born 8 January 1974;

PONOMAREV, Konstantin, born 14 August 1971;

PROKOPENKO, Ivan Pavlovitch, born 28 September 1973;

REZNICHENKO, Mikhail, born 20 February 1985;

SAPUNOVA, Marina, born 19 June 1971;

SHUPOLOVSKY, Mikhail, born 28 September 1983;

SILCHENKO, Oleg, born 25 June 1977;

STASHINA, Yelena (a.k.a. STASHINA, Elena or STASHINA, Helen), born 5 November 1963;

STEPANOVA, Olga, born 29 July 1962;

STROITELEV, Denis, born 23 January 1973;

TAGIEV, Fikhret, born 3 April 1962;

TOLCHINSKIY, Dmitry (a.k.a. TOLCHINSKY, Dmitriy or TOLCHINSKIY, Dmitri), born 11 May 1982;

UKHNALYOVA, Svetlana (a.k.a. UKHNALEV, Svetlana or UKHNALEVA, Svetlana V.), born 14 March 1973;

URZHUMTSEV, Oleg, born 22 October 1968;

VINOGRADOVA, Natalya, born 16 June 1973;

VORONIN, Victor, born 11 February 1958;

- (e) to urge Russia to undertake a credible, thorough and independent investigation of Sergei Magnitsky's death in pre-trial detention, and to bring all those responsible to justice;
 - (f) to call on Russia to close the posthumous trial of Sergei Magnitsky and stop putting pressure on his mother and widow to participate in these proceedings;
2. Instructs its President to forward this recommendation to the Council and the Commission, to the governments of the Member States, and to the State Duma and the Government of Russia.